



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Harry R. Davis et al.

Examiner: Mojdeh Bahar

Serial No.: 10/057,629

Group Art Unit: 1617

Filed: January 25, 2002

Atty. Docket No.: CV01382K

For: Use of Substituted Azetidinone  
Compounds for the Treatment  
Of Sitosterolemia

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL RESPONSE TO ELECTION OF SPECIES**

This is in response to the Office Action mailed on October 21, 2003, in the above-identified patent application.

In Applicants' Response to Restriction Requirement and Election of Species of August 1, 2003, Applicants provisionally elected with traverse the claims of Group 1 (claims 1-24, 32-45 and 48-56) for initial examination in this application.

Applicants provisionally elected with traverse (1) cholestyramine as the lipid-lowering agent; (2) the compound of Formula (VIII) (ezetimibe); and (3) simvastatin as the third therapeutic agent, for initial examination in this application.

The Examiner requested that Applicants review the list of claims readable thereon. Applicants wish to thank the Examiner for pointing out that claims 10 and 11 also read on the elected species.


Elected claims readable on the elected species include claims 1, 8-11, 13-24, 32-45 and 48-56. Applicants' attorney respectfully requests that the Examiner telephone the undersigned if any further issues are identified by the Examiner relating to the claims readable on the elected species.

Examination on the merits for the pending claims is respectfully requested.

Respectfully submitted,

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Attorney for Applicant

Date: November 18, 2003

  
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image

1617

PTO/SB/21 (03-03)

Approved for use through 04/30/2003. OMB 0651-0031

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(to be used for all correspondence after initial filing)

Application Number	10/057,629
Filing Date	01/25/2002
First Named Inventor	Harry R. Davis, et al.
Art Unit	1617
Examiner Name	Mojdeh Bahar
Attorney Docket Number	CV01382K

Total Number of Pages in This Submission

4

### ENCLOSURES (Check all that apply)

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### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	Ann Marie Cannoni, Reg. No. 35,972
Signature	
Date	11/18/03

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Application No.: 10/057,629

Filing Date: 01/25/2002

Applicant: Harry R. Davis et al..

Title: Use of Substituted Azetidinone Compounds for the Treatment of Sitosterolemia

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